

REMARKS

Claims 1-17 stand rejected. No claims are added or deleted by amendment.

Accordingly, claims 1-17 are at issue.

The specification stands objected to as too long. The Abstract has been amended in this response.

Claims 1-4 and 6-8 stand rejected under 35 U.S.C. §102 in view of Heinonen, U.S. Patent No. 5,887,266. The cited portion of Heinonen teaches a mobile station with an application module 19 connected to it. Heinonen, Col. 8, ll. 12-14. In the described example, a cash card application 18 is contained in the application module 19. *Id.* at Col. 8, ll. 14-15. Application module 19 may be a SIM-type chip, and appears to be distributed on a plastic card. See, e.g. Fig. 3C, Fig. 6 (module card 13). Because Heinonen appears to rely on the distribution of plastic cards, Heinonen does not solve or address any of the disadvantages of distributing cards on physical media. See Application, p. 6., ll. 9-22.

In contrast, claim 1 claims a method that allows the creation stored value information on an electronic transaction device without having to rely on a physical card. In claim 1, a first electronic transaction device (ETD) transfers payment information to a second ETD and receives (in exchange) value information from the second ETD. The second EDT transfers both the payment information and the value information to a service consolidation center. This method allows the creation of stored value information on an ETD in a retail environment without the use of plastic cards or SIM-type chips (although SIM chips may be present in the device for other reasons, e.g., to enable telephone service). Heinonen does not disclose the claimed transfer of information, and instead teaches away from the claimed method by teaching the use of

application module 19. Because Heinonen does not teach all of the elements of claim 1, claim 1 is not anticipated by Heinonen and is believed allowable.

Claim 2 further recites that the value information comprises a virtual card. Heinonen, by teaching the use of a physical application module 19, does not disclose the transfer of a virtual card from one electronic transaction device to another electronic transaction device. Claim 2 is allowable over Heinonen for this additional reason.

Claim 4 depends from claim 2 and further claims that the virtual card comprises an image of a card. Heinonen does not disclose the step of transferring a virtual card including an image of a card from one ETD to another ETD. Accordingly, claim 4 is believed allowable for this additional reason.

Claims 5 and 9-11 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Heinonen in view of Despres, U.S. Patent No. 6,434,379. Claim 5 depends indirectly from claim 1. As set forth above, Heinonen fails to teach the method steps as recited in claim 1. The remarks made with respect to claim 1 are incorporated here by reference. Also, Despres fails to teach or suggest these steps. Because all of the steps are not shown in Heinonen or Despres, combining these references still fails to teach or suggest the invention as claimed in claim 5. Accordingly, claim 5 is believed allowable over these patents.

Claim 9 recites another aspect of the claimed invention, involving sales to cash subscribers that are tracked by entering value purchased information and subscriber information in a retailer ETD and the retailer ETD transferring the information to a mobile operator. There need not be an ETD to ETD transaction in the method claimed in claim 9. Despres also fails to

suggest or teach the method as recited in claim 9. Like Heinonen, Despres relies on physical media. See, e.g., Col. 4, ll. 52-55 (customer purchases pre-paid card at sales outlet); Col. 4, l. 66-Col. 5, l. 5 (operator will have to put "scratch cards" on sale). Neither Despres nor Heinonen, either alone or in combination, teach or suggest the step of a retailer ETD transferring value purchased information and subscriber information to a mobile operator. Accordingly, claim 9, and claims 10-11, which depend from claim 9, are not rendered obvious by the combination of Heinonen and Despres.


Claims 12-17 stand rejected under 35 U.S.C. §103 as unpatentable in view of Tushie, U.S. Patent No. 6,202,155 in further view of Heinonen. As set forth above, Heinonen does not disclose downloading a virtual prepaid card to a retailer ETD and transferring the virtual pre-paid card from the retailer ETD to a MO subscriber handset. The cited portions of Heinonen relate to physical cards in the nature of a SIM card. See, e.g., Fig. 6 (ref. Numeral 19), Col. 1, ll. 38-49 (Smart cards generally include a central processing unit, a program memory, and a data memory). Col. 3, ll. 29-56 (by means of a mobile station equipped with a suitable application module (see, ref. Num. 19) the user can make payments), Col. 5, ll. 39-44 (describing IR transfer, but see also, Col. 5, ll. 31-38, there is a connecting unit 6 for each application module 19, application 19 can be a SIM). In each example, contrary to the claimed invention, a physical card, such as a SIM, is relied upon. Because neither Tushie nor Heinonen above or in combination disclose all of the elements of claim 12, claim 12 is believed allowable. Also, claims 13-17, which depend from claim 12, are also believed allowable.

A Supplemental Information Disclosure Statement will be filed in connection with this application shortly.

Applicant respectfully submits that the claims are in condition for allowance, and such action is earnestly submitted. If the Examiner find that there are any outstanding issues which may be resolved by a telephone interview, the Examiner is invited to contact the undersigned at the below listed number.

Respectfully submitted,

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